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PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

07/03/2003 USDELRI 00000020 10609420

01 FC:1001 750.00 OP

07/07/2003 TLUI11 00000008 061205 10609420

1 FC:1203 280.00 DA

Adjustment date: 03/23/2004 SDIRETA1

10/07/2003 TLUI11 00000008 061205 10609420

01 FC:1203 280.00 CR

PTO-1556
(5/87)

DEP E Res
#307



03560.002654.1

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Divisional Application of:)
:)
YASUO KOTAKI, et al.) Examiner: J. Nguyen
:)
Application No.: 10/609,420) Group Art Unit 2861
:)
Filed: July 1, 2003)
:)
For: LIQUID CONTAINER, CAP)
USED WITH THE LIQUID)
CONTAINER, AND)
CAP-EQUIPPED LIQUID)
CONTAINER) February 19, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

OFFICE OF PROPERTY
REFUND ENVOI
2004 FEB 24 PM 4:26

Sir:

In connection with the above-identified application, Applicants request a refund of ~~\$280.00~~ for a multiple dependent claim fee, which was erroneously charged to our Deposit Account 06-1205. It is requested that the refund be applied as a credit to that Deposit Account. The reason for the refund is explained below.

On July 1, 2003, Applicants submitted a Utility Patent Application and Preliminary Amendment, along with a check in the amount of \$750.00 for the filing fee (see attached copies of the Utility Patent Application Transmittal, Preliminary Amendment, and a postcard acknowledging receipt of the check). No multiple dependent claims fees were due at that time.

Applicant's attorneys received a Monthly Statement of Deposit Account, dated October 31, 2003, (copy attached) indicating that Deposit Account No. 06-1205 was charged \$280.00. It is respectfully submitted that this charge is not warranted.

Accordingly, Applicants hereby request a refund and authorizes the Commissioner to credit Deposit Account No. 06-1205 in the amount of \$280.00 to resolve this matter.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,


Attorney for Applicants

Registration No. 32,622

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 408665v1

STATUS AND ENTRY
BRANCH

2004 FEB 24 PM 3:20

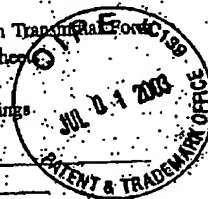
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Date 7.1.03
Atty. Docket 1320.002654.1

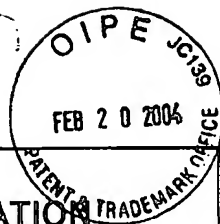
Sir:

Kindly acknowledge receipt of the accompanying:

- ☒ Specifications, claims and abstract 51 pages, with Transmittal Form 139
- ☒ Patent Application Bibliographic Data Sheet 2 sheets
- ☒ Executed Oath, or Declaration and Power of Attorney
- ☒ 18 Sheets of 1 formal 0 informal drawings
- ☒ Check for \$ 350.00 (filing fee)
- ☐ Request for Continued Examination and Check for \$ _____
- ☐ Assignment, PTO-1595, and Check for \$ _____
- ☐ Transmittal Under 37 CFR 1.53(d) (CPA)
- ☐ Petition under 37 CFR 1.136 and check for \$ _____
- ☒ Other (specify) Preliminary Amendment, Information Disclosure Statement, Claim to Priority
- by placing your receiving date stamp hereon, and mailing or returning to deliverer.
- This is a ☐ Continuation ☒ Divisional ☐ Continuation-in-Part
- Atty. MKON Due Date 7.1.15
- 37 CFR 1.8 ☐
37 CFR 1.10 ☐
By Hand ☒



F09-4-00



STATUS: **SEARCHED**

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	03560.002654.1
First Named Inventor or Applicant Identifier 2007 FEB 24 PM 3:20 Yasuo Kotaki	
Express Mail Label No.	

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)

2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.

3. ☒ Specification Total Pages **51**

4. ☒ Drawing(s) (35 USC 113) Total Sheets **18**

5. ☒ Oath or Declaration Total Pages **2**

a. ☐ Newly executed (original or copy)

b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)

i. ☐ **DELETION OF INVENTOR(S)**
Signed Statement attached deleting
inventor(s) named in the prior application, see
37 CFR 1.63(d)(2) and 1.33(b).

6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer
Program (Appendix)

8. ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

a. ☐ Computer Readable Form (CRF)

b. Specification Sequence Listing on:

i. ☐ CD-ROM or CD-R (2 copies); or

ii. ☐ paper

c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))

10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)

11. ☐ English Translation Document (if applicable)

12. ☒ Information Disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations

13. ☒ Preliminary Amendment

14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)

16. ☒ Other: Claim To Priority

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09 / 678,024
Prior application information: Examiner Judy Nguyen Group/Art Unit: 2861

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 05514
(Insert Customer No. or Attach bar code label here) or ☐ Correspondence address below

NAME					
Address					
City		State		Zip Code	
Country		Telephone		Fax	

STATUS: APPROVED
BRANCH

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	7 -20 =	0	X \$ 18.00 =	\$ 24.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	1 -3 =	0	X \$ 84.00 =	\$ 0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			\$280.00 =	\$ 0.00
				BASIC FEE (37 CFR 1.16(a))	\$ 750.00
	Total of above Calculations =				\$ 750.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				
	TOTAL =				\$ 750.00

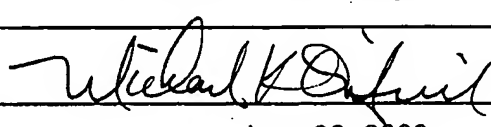
19. Small entity status

- a. ☐ A small entity statement is enclosed
- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

20. ☒ A check in the amount of \$ 750.00 to cover the filing fee is enclosed.21. ☐ A check in the amount of \$ _____ to cover the recordal fee is enclosed.

22. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 06-1205:

- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
NAME	Michael K. O'Neill, Reg. No. 32,622
SIGNATURE	
DATE	June 30, 2003

REMARKS

STATUS AND LIBRARY
BRANCH

201 FEB 24 PM 3:20

Claims 6 to 12, which were restricted out of parent Application No. 09/678,024, have been re-presented for an action on the merits..

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. § 1.56, Applicants respectfully direct the Examiner's attention to the documents listed below and on the enclosed Form PTO-1449. A copy of each document so listed is enclosed.

U.S. Patent 5,557,310
U.S. Patent 5,589,862
U.S. Patent 5,619,237
U.S. Patent 5,742,310
U.S. Published Application No. 2001/0045977
U.S. Published Application No. 2002/0175977
Japan 8-058107
Japan 8-224883
Japan 8-276601
Japan 10-296993

These documents were cited in prior parent Application No. 09/678,024, and might be deemed pertinent for the reasons given there. The Examiner is respectfully directed to the Patent and Trademark Office files for review of these documents. See MPEP § 609. Additionally, the Examiner is requested to indicate that this information has been considered by initialling the appropriate portion of the attached form PTO-1449.

STATUS AND ENTITY
BRANCH

Applicants' undersigned attorney may be reached in our Costa Mesa,
California office by telephone at (714) 540-8700. All correspondence should continue to
be directed to our below listed address.

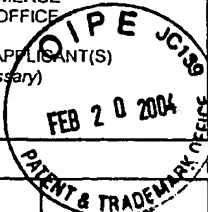
Respectfully submitted,


Attorney for Applicants

Registration No. 32622

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

CA_MAIN 65850 v 1

FORM PTO 1449 (modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)				ATTY DOCKET NO. 03560.002654.1		APPLICATION NO. Not Yet Assigned	
				APPLICANT YASUO KOTAKI, et al.		BRANCH	
				FILING DATE Concurrently Herewith		GROUP Unknown	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,557,310	9/17/96	Kurata, et al.	347	87	
		5,589,862	12/31/96	Ujita, et al.	347	87	
		5,619,237	04/08/97	Inoue, et al.	347	86	
		5,742,310	04/21/98	Kotaki	347	86	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
		8-058107	03/05/96	Japan			Abstract
		8-224883	09/03/96	Japan			Abstract
		8-276601	10/22/96	Japan			Abstract
		10-296993	11/10/98	Japan			Abstract
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
		King, et al., U.S. Published Application No. 2001/0045977, Published November 29, 2001					
		Hanson, et al., U.S. Published Application No. 2002/0175977, Published November, 2002					
EXAMINER				DATE CONSIDERED			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy form with next communication to applicant.

03560.002654.1

STATUS AND OFFICE
BRANCH
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
371 FEB 24 7 3 20

In re Divisional Application of:)
:)
YASUO KOTAKI, et al.)
:)
Application No.: Not Yet Assigned)
:)
Filed: Concurrently Herewith)
:)
For: LIQUID CONTAINER, CAP)
USED WITH THE LIQUID)
CONTAINER, AND)
CAP-EQUIPPED LIQUID) June 30, 2003
CONTAINER)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CLAIM TO PRIORITY

Sir:

Applicants hereby claim priority under the International Convention and all
rights to which they are entitled under 35 U.S.C. § 119 based upon the following Japanese
Priority Application:

Japan 283410/1999, filed October 4, 1999.

A certified copy of the priority document was filed in parent Application

No. 09/678,024.

Applicants' undersigned attorney may be reached in our Costa Mesa,
California office by telephone at (714) 540-8700. All correspondence should continue to
be directed to our below listed address.

Respectfully submitted,

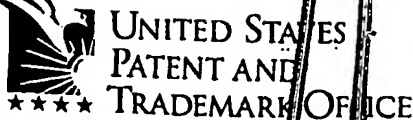

Attorney for Applicants

Registration No. 32622

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
CA_MAIN 65852 v 1

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BRANCH

201 FEB 24 PM



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BRANCH

MONTHLY STATEMENT OF DEPOSIT ACCOUNT

2004 FEB 24 PM 3:20

Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

To replenish your deposit account, detach and
return top portion with your check. Make check
payable to Director of Patents & Trademarks.

FITZPATRICK CELLA HARPER & SCINTO

FINA

30 ROCKEFELLER PLAZA

NEW YORK NY 10112-3801

Account No.	061205
Date	10-31-03
Page	2

PLEASE SEND REMITTANCES TO:
U. S. Patent and Trademark Office
P.O. Box 70541
Chicago, IL 60673

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
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10	10	03	90	09974634	00050097000	8013	25.00	74589.00
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10	10	03	103	10680102	02910.000094	9204	-1190.00	75754.00
10	10	03	137	09519990	862.C1855	8001	15.00	75739.00
10	10	03	270	10211168	02658000900	8007	20.00	75719.00
10	14	03	34	09271887	35.C13403	8001	30.00	75689.00
10	14	03	271	06493763	2152	8013	25.00	75664.00
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10	15	03	107	10287621	0190700P136	8007	20.00	75904.00
10	15	03	304	0137450542	0190700P136	8014	25.00	75879.00
10	16	03	16	09585606	03500.014538	9204	-300.00	76179.00
10	16	03	184	6623354	01384002050	8013	25.00	76154.00
10	16	03	254		02876000100	8007	20.00	76134.00
10	17	03	178	10119707	00684.002542	1201	172.00	75962.00
10	20	03	2	09691234	862.C2032	1201	86.00	75876.00
10	20	03	3	09691234	862.C2032	1202	90.00	75786.00
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AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT					OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE